TWENTY SIXTH YEAR.

SALT LAKE CITY, UTAH, SUNDAY MAY 17, 1896,

NUMBER 207

#### MRS. TOLHURST WINS.

Secures a Decree of Divorce and Substantial Alimony.

MARY J. LEWIS FILES SUIT

FOR DIVORCE ON THE GROUNDS OF EXTREME URDELTY.

Judge Street Refuses to Continue in

The divorce suit of Thomas F. Tolurst against Elizabeth Jones urst, which was partly heard before Judge Young on April 11, was resumed tion to strike answer from files grantyesterday before his honor, and ended

Yesterday the proceedings were somewhat tame, the parties apparently having come to an understanding on all points except the amount of all-mony to be swarded to Mrs. Tolhurst. mony to be swarded to Mrs. Tolhurst. Testimony as to the means of the plaintiff was introduced, and his honor finally granted Mrs. Tolhurst the decree, awarding her allmony in the sum of \$500, payable half at once and half in sixty days, and a further allowance of \$12 a month, the plaintiff to pay the costs of the suit.

Richards & Richards were the attorneys for the plaintiff, and Powers, Btraup & Lippman for the defendant.

GROSS CRUELTY.

illeged in Mrs. Lewis' Complaint

For Divorce. Mary J. Lewis has entered suit for liverce from David Lewis, alleging liverce from David Lewis, alleging that the marriage took place on September 5, 1879, and that ever since the auptial knot was tied her husband has treated her in a cruel and inhuman manner, particularly in the month of June, 1895, at Sandy, when it is alleged as cruelly attacked her and compelled are to leave the house to save her life. In January, it is alleged, he struck her a violent blow on the side of the head, dragged her from the house by the hair of the head and threw her violently to the floor of the porch, where for several minutes she lay unriolently to the Boor of the porch, where for several minutes she lay unjonscious. On May 14, 1896, it is aligged, he again attacked her, saying 
he would "kill her if he hung tomorrow." The defendant, it is further 
alleged, has a violent and uncontrolblie temper and frequently files into 
it if of passion and becomes very 
chusive.

Force, for a restraining order prevent-ing the defendant from disposing of his property pending the suit for reasonable amount of simony and the rustody of the four minor children of the marriag... H. A. Smith and C. M. Nielsen are the attorneys for the plaintiff.

Plaintiff pray, for a decree of di-

SEWER EXTRAS.

judge Street Refuses to Continue the Injunction Pending Appenl.

In the matter of the injunction sult of A. M. Grant against City Treasurer May, to prevent payment to the gravity sewer contractors of \$11,000 for extras, appropriated by the city council, motion by the plaintin's attorneys.

In the Spring a young lightly turns to thoughts Little Early Risers, for cleanse the liver, purify tinvigorate the system.

was argued to continue the restraining order heretofore dissolved in force pending the appeal to the supreme court. Judge Street denied the motion court. Judge Street denied the motion and the restraining order is dissolved.

DAMAGE SUFT.

Pather of Deldrich Olson Sues the Union Pacific For \$1,999.

Third district court by his attorneys, C. M. Nielsen and Moyle, Zane & Costigan, against S. H. H. Clark, et al., receivers of the Union Pacific Rail-way company, alleging that on August 24, 1895, his son, Deldrick, aged 7 years, while crossing the track of the defendant company on Ninth North Axel Olsen yesterday filed suit in the defendant company on Ninth North
street, was run over by a train and
his foot crushed so that it had to be
amputated. Plaintiff alleges that in
consequence thereof he was compelled
to give constant attention and nursing
to the boy, and that such attention
will be necessary in the future, and
that plaintiff has lost the services of
the boy to his damage in the sum of
\$1.399, for which judgment for
\$2.500 in the United States district
court a few days ago.

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\$2.500 in the United States district
court a few days ago.

Short Rulings.

Maggie Ryan vs. James Ryan; mo- to direct the political action of the peo-

W. L. Douglas vs. George D. Alder et al.; restraining order dissolved.

Thomas Bolton vs. S. R. Parkinson; dismissed.

H. A. Heath vs. Salt Lake City; demurrer to amended answer overruled and motion to strike out portion of answer denied.

John A. Hobbs vs. J. H. Hulse et al.; Utah. We do not know that any persons or parties that the church and the state have been by legal enactment ever made one in Utah. We do not know that any persons or parties have asserted that the

A. H. Barnett was granted a decree of divorce from William J. Barnett by default, on the grounds of desertion and failure to support.

Petit Juror W. H. Wilson was ex-

Members of B company, First in-

Mr. Helst's Views.

Mr. Helst's Views.

The evil effects of the manifesto, in so far as it may in practice result in putting both political parties under the domination of a few ecclesiastical leading.

By order of Captain H. M. H. Lund.

B. C. RASMUSSEN.

Mr. Helst's Views.

"We therefore, declare them ineligible to receive any nomination for office in this convention, except upon the condition above specified.

"It is not our intention to make war upon any church or creed, and in the brain

#### THE NEW MANIFESTO.

Merely Denies a Legal Union of Church and State.

ed, with leave to reinstate within two that the document is a direct answer

Tolhurst deserted her husband. The defendant filed an answer, denying the assertion, and a cross-complaint, alleging that her husband had treated her with great cruelty, neglected her when sick and refused her proper care, and also failed to support her. She prayed for a divorce and alimony. The testimony at the hearing on April 1 was quite racy in parts and was reported in The Herald of the following day.

Yesterday, the service of the following dismissed.

Sarah Quayle vs. Claude B. Durst that the manifesto is a denial that there has been any union of church and state in Ctah. Therefore, he says, "the church and state need no divorcement, having never been married." He then goes on to point out that no law on the statute books gives a preference for one church above another. If this is all that is meant by the along preamble to the rule of discipline for church officiais in the manifesto, when the manifesto is a denial that there has been any union of church and state in Ctah. "Therefore," he says, "the church and state need no divorcement, having never been married." He then goes on to point out that no law on the statute books gives a preference for one church above another. If this is all that is meant by the along preamble to the rule of discipline for church officiais in the manifesto, the manifesto is a denial that there has been any union of church and state need no divorcement, having never been married." He then goes on to point out that no law on the statute books gives a preference for one church above another. If this is all that is meant by the along preamble to the rule of discipline for church officiais in the manifesto is a denial that there has been any union of church and state need no divorcement, having never been married." He there has been any union of church and state need no divorcement, having never been married." He there has been any union of church and state need no divorcement, having never been married." He there has been any union of church and state need no divorcement, having

John A. Hobbs vs. J. H. Hulse et al.;

John A. Hobbs vs. J. H. Hulse et al.;

motion to dismiss appeal overruled.

Sait Lake, Lithographing company vs. the Hex Mine and Smelting company et al.; metion to set aside judgment against receiver in favor of Horn Silver Mining company denied.

Probate Orders.

Estate of John Folks, deceased; hearing on final account and petition for distribution continued to May 23.

Estate of Charles A. Carr, deceased; Nettle Carr appointed guardian of minor heirs on filing bond in the sum of \$2,000.

Estate of James W. Farmer, descaped: "Leaf we do not know that any persons or parties have asserted that the laws of Utah discriminate in any way between members of different creeds.

But of one fact we are tolerably certain: There has been "church influence" used to secure, ostensibly, a "nearly equal" division of the people of Utah between the two parties, but really, it would seem to secure and assure the permanent success of the party to which those leaders belong the "influence" to secure the success of their party. It now appears that this was done under the plea of dividing the people "about equally" in politics.

minor heirs on filing bond in the sum of \$2,000.

Estate of James W. Farmer, deceased; hearing on final account and petition for distribution set for June 16.

Estate of Jerman Post, deceased; hearing on final account and petition for distribution set for June 6.

Estate of George Hogan, deceased; hearing on final account and petition for distribution set for June 8.

Estate of Clarence Harman, deceased; hearing on final account and petition for distribution set for June 8.

Estate of Clarence Harman, deceased; hearing on final account and petition for distribution set for June 8.

Estate of Maggie K. Jennings, deceased; order made confirming report of commissioners in partition.

Court Orders.

A. H. Barnett was granted a decree of distribution of the Democratic party as voiced by the proceedings of the reconvened convention. It was this use of "church influence" that was condemned by Democratic papers, by Democratic primaries and conventions and by Democratic speakers.

When, therefore, the new manifesto appeared, it did not occur to any human being, so far as we know, to suppose it was anything else than a denial of the resolute contention of the Democratic party as voiced by the proceedings of the reconvened convention. It is a relief and a pleasure to learn that the manifesto is merely a denial of the resolute contention of the Democratic party as voiced by the proceedings of the reconvened convention. It is a relief and a pleasure to learn that the manifesto is merely a denial of the resolute contention of the Democratic party as voiced by the proceedings of the reconvened convention. It was this use of "church influence" that was condemned by Democratic papers. When, therefore, the new manifesto appeared, it did not occur to any human being so far as we know, to suppose it was anything else than a denial of the resolute contention of the period of the resolute contention of the period of the resolute contention of the period of the resolute contents of the resolute contents of the resolute reconvened con

Clearly, they do not; and it is a plain duty on the part of those who issued sumed at 10 o'clock tomorrow morning.

But do the public also inderestria it. Clearly, they do not; and it is a plain duty on the part of those who issued the manifesto to make clear its meaning on this important issue.

PRATTLER.

By order of Captain H. M. H. Lund.

B. C. RASMUSSEN.

First Sergeant.

First Sergeant.

In the Spring a young man's fancy lightly turns to thoughts of—DeWitt's Little Early Risers, for they always cleanse the liver, purify the blood, and invigorate the system. For sale by Nelden-Judson Drug Co.

It is not our intention to make war upon any church or creed, and in the adoption of this regulation for the government of our organization, we are only taking the necessary steps to the right to make any rule of discipline it may see fit.

The church leaders are entitled, primating facie, to the presumption of sincerity in this matter, and if they are as desirous of carrying out the spirit of the sirous of carrying out the spirit of the sirous of carrying out the spirit of the spirit of the sirous of carrying out the spirit of the spirit

Encouragement From a News Editorial—Suggests the Adoption of Resolutions By All Political Conventions.

The general impression made by the new manifesto was that it makes a distinct denial that there has been any use of "church influence" in the past to direct the political action of the people.

It was further supposed and asserted that the document is a direct answer to, and a denial of, the declarations to a union of church and state, and by this we mean to oppose as much the action by this we mean to oppose as much the forial state has adopted a rule of discipulation of the state has adopted a rule of discipulation of the state has adopted a rule of discipulation of the state has adopted a rule of discipulation of the state has adopted a rule of discipulation of the state has adopted a rule of discipulation of the church shall, before accepting any political position which would interfere with the proper authorities to learn from them whether he can consistently with the church obligations, take upon himself the responsibilities of the responsibilities, apply to the proper authorities to learn from them whether he can consistently with the church obligations, take upon himself the responsibilities of the re

plaint.

The allegations of the complaint

Were that the marriage took peace in this city on October 18, 1894, and that the November 10 of the same year Mrs.

Mifflin Balley et al. vs. Joseph P. Ito, and a denial of, the deciarations and by this we mean to oppose as much the plaintiffs for \$1,299.73.

Martin Ann Coombs vs. Utah Paint and Oil company; case put back on trial calendar.

On November 10 of the same year Mrs.

Mifflin Balley et al. vs. Joseph P. Ito, and a denial of, the deciarations and by this we mean to oppose as much the practical union by which a few eccuration by which a few eccuration of last fall.

It now appears that it is neither.

President Joseph F. Smith explains, both in public and in public and

"Now, therefore, be it Resolved, That while we recognize the right of every church organization to make any rule

church organization to make any rule of discipline its members may see fit to submit to, yet we conceive it to be our right and our duty to so regulate the affairs of our party that no rule of church discipline shall have the effect of putting it under the control of any priesthood whatever.

"We believe that B. H. Roberts, when speaking upon this in the Salt Lake Herald of October 1, 1895, correctly outlined our course in this matter when he sald. If the church permits its high officials to enter politics at all, then those men ought to be absolutely free to follow their own discretion as to what their politics should be, and the what their politics should be, and the extent to which they shall engage in the affairs of the government, as any-tiling short of this would render party loyalty impossible. I do not believe that Democratic church officials ought to be expected to go to Republican su-perior church officials for counsel in po-litical affairs or vice versa."

"'Such a requirement in our commu-nity would place the control of the re-spective parties under the church offi-cials and would give political affairs entirely into their hands. I see no middle ground between absolute and complete retirement on the perti-

constitutional inhibition against a union of church and state as they appear to be, the solution is easy.

In the Deseret News of May 12, I find the following quoted with seeming approval from the Catholic Review, "Indeed, the Mormon lenders should go further and lay down the law that no clerical official in the Mormon church should be a candidate for political office. If that regulation were generally enforced, religion would be saved such social as last year stained the state of Ohio, when a clergyman in the legislature offered to self his vote for a bribe."

From this I draw encouragement that the church organ will enforce my plan for a remedy of dreaded evils. My remedy is this, Let the political conventions adopt a resolution something like the following:

"Whereas, The dominant church of this state has adopted a rule of discipline for its members by which they say that every leading official of the say that every leading the say which they are two considers in this union of the say of the matter has the mormon of the say of the say of the say of the

duty incumbent upon Mormons to ac-quiesce in this rule if they are in earn-est in believing the Dostrine and Cov-enants which say: "We do not believe if just to mingle religious influence with

civil government?"

By what other method can this provision of the Dootrine and Covenante be made effective?

WESTERN EDITORS.

Press association, met in this city last fall, and that the event was nothing less than a grand affair, resulting in materially advertising Salt Lake city and the then prospective state of Utah. We learn that preparations for holding the next meeting of the editors in Den-ver, are already in progress. There is no doubt but that the Coloradoans will outdo themselves in the entertainment of the western editors; at the same of the western collors; at the same time, if the people of Denver endeavor to equal or surpass what was done in this city last year they will have to do some tall hustling. We congratulate Colorado on the part she is to play as hostess of the newspaper men of the western states and bespeak in advance a glorlous time. western states a a glorious time.

THAT OGDEN SHOOT.

Salt Lake Boys Will Get Back at the Junction City Cracks.

The Ogden Standard of Thursday has something anent the coming gun club

initial affairs or vice versa."

"Such a requirement in our community would place the control of the respective parties under the church officials and would give political affairs entirely into their hands. I see no middle ground between absolute and complete retirement on the part of high Mormon church officials from politics,"

In view of the fact that the church has seen fit not to leave its high officials free to act as they think best, now, therefore, we declare, that for the purpose of preventing a practical union of church and state, no person shall be deemed eligible for nomination to any other man.

"We regret that those who framed the consent to his candidacy, or that of any other man.

"We regret that those who framed the church rule referred to, bave seen fit to leave it uncertain as to who omes within the designation of 'leading officials,' but considering, as we do, in any other man.

"We regret that those who framed the church rule referred to, bave seen fit to leave it uncertain as to who omes within the designation of 'leading officials,' but considering, as we do, it at the weight of public interpretation by those in authority, is that if applies to all holding the office of bishop, presidents of quorums of sevenentles, apostles, the president of the church and his counselors.

"We, therefore, declare them inclination are to participate, and in a labored article, intended to be funny, says that the members of the Sait Lake work that the members of the local society will not be in it. This makes the boys here feel a little hit sore, as when it comes to shooting that the weight of this church and state, no person shall first have publicly renounced the right of every man or priesthood, to either give or withhold their consent to his candidacy, or that the weight of public intended to the purpose of preventing a practical without without, which the Ogden people took to be in any other man.

"The Standard concludes its write up of the since the purpose of preventing and the purpose of the sense fo

Over-Exertion of Brain or Body. Take Horsford's Acid Phosphate.

A. T. HEIST.

ter Grover James Jensen of Gunnison, if the time of their respective births, as reported, were duly authenticated.

The evidence was soon forthcoming, and The Herald now has the official certificates of the attending physicians and midwives, showing that Miss Hemingway saw the light on January 4.
1896, at 8:04 a. m., and that Maxer Jensen was born exactly six minutes

BUILDING PERMITS.

Fiftees Were Issued During the Past
Week.

The cups have therefore been suitably engraved, and will at once be presented to the lucky youngsters with Frank Peters n. brick South Third East, 1450.



The above represents the cup given to the girl, and bears this inscription.
"Presented with best wishes by the Sait Lake Heraid to the first girl born in the state of Utah, Sarah Vilate Hemingway, born at Sait Lake City, January 4, 1896, at 8:04 a. m."



This is a picture of the cup presented A. G. P. Agt., St. Louis.

to Master Jensen. It bears this in-

scription:
"Presented with best wishes by the Salt Lake Herald to the first boy born in the state of Utah, Grover James Jen-

sen. Born at Gunnison, January 4, 4896, at 8:10 a. m." WAS AN OLD RESIDENT,

READY FOR PRESENTATION George Ball, Who Died in Anaconda. Montana, Last Week,

George Ball, an old resident of this city, who was well and favorably known to a great many of those who JENSEN THE WINNERS.

Known to a great many of those who came here in early days, is dead. He died on Thursday, May 7, at his home in amaconda, Mont., where he has been had the Boy Was Born at Gunnison, Six Minutes Later.

Known to a great many of those who came here in early days, is dead. He died on Thursday, May 7, at his home in amaconda, Mont., where he has been amaconda and the limit of the street of the Knowlets of the Knowlets. Some months ago The Herald made an offer of two handsome gold-lined silver cups to the first boy and girl born in Utah after the issuance of the president's proclamation declaring it a state.

Candidates for these cups sprang up all over the territory, from Logan to St. George, and the contest was for a time close, but it soon developed that the prizes would go to little Sarah Village Hemingway of this city, and Master Grover James Jensen of Gunnison, if the time of their respective births, as reported, were duly authenticated.

going.

A host of friends in this city will mourn his death.

BUILDING PERMITS.

Building permits were issued during

Street, \$30.
Western from company, from shed 17 East First South agreet, \$750.
William C. Stains, frame addition at 461 C street, \$100.
Hill & McMillian, brick addition 125
South West Temple street, \$200.
Mrs. W. B. Andrews, barn 77 S street, \$250.

\$200.

Mrs. Shively, alterations at 17 and 19
East Second South street, \$75.

Mrs. H. Garbutt, brick addition 455
West Fifth North, \$209.

A. F. Doremus, improvements Tenth
West and Fourth South, \$200.

Mrs. E. Rock, frame addition on
North Temple, near bridge, \$40.

EXCERSION TO PITTSBURGH, PA.,

Via Rio Grande Western Railway. On May 22 and 53 the Rio Grands Western sells round trip tickets ito Pittsburgh, Pa., at the rate of \$51 %; tickets good until June 2. For other particulars enquire of L A. Benton, ticket agent, No. 15 West Second South street.

Prohibition Convention Rates

Pittsburgh. Excursion tickets for the above event Excursion tickets for the above event will be sold via Vandalia-Pennsylvania. Short Lines from St. Louis, May B. 5 and 25. The Vandalia-Pennsylvania is the only line with solid trains from St. Louis Union Station to Pittsburgh Union Station. Apply to W. F. Brunner, A. G. P. Agt., St. Louis, for details. EXCURSIONS EAST.

To Pittsburgh and Washington. Low rates to Pittsburg vin Vandalin-Pennsylvania Short Lines from St. Louis, May 24, 25 and 26, account Pro-hibition national convention, also June 6, 7 and 8, for North American Saeng-erfest. To Washington, D. C., July 4, 5, 6 and 7, for Christian Endeavor equ-vention, Get details of W. F. Brunner, A. G. P. Agt. St. Louis.

# REMOVAL SALE:

Second week of the series of our Wonderful Sales of Seasonable Merchandise as heretofore announced. The great crowds that thronged our store last week proved how thoroughly our Removal Sale is recognized as the GREAT AND GENUINE BARGAIN EVENT of the Season. The Entire Stock without reserve must and will be sold before our Removal, no matter what the sacrifice may be.

## SILK BARGAINS.

Pongee Silk at.....10c Extra quality Corded Wash Silks, large assortment to select from, at 24c 27-inch Cream India Silk, just the thing for graduation dresses, 75-

Ladies' and Children's Hose Go with the rest at prices yo will never match again. The knife is put in deep

Boys' 1x1 ribbed, fast black, cotton bleyele hose, with double knee and double heel and toes, regular

REMOVAL SALE PRICE ...... 124c Misses' fine ribbed cotton hose, full regular German make, Ethopian fast black, fully worth 25c, at....13c

Ladies' fine black gauge 25c hose, double heel and toes, at..........14c Ladies' tan colored hose, guaran-teed fast russet shades, drop stitch, German, full regular make, double heel and toes, a 35c qual-

Men's black socks, Hermsdorf Dye,

ed heel and toe, worth 25c, at .... 14c

### Wash Dress Fabrics.

We shall sell an immense lot of goods in this department this week if low prices will do it.

Best Indigo Blue Calicos, styles and best cloths only, at ....

Dress Ginghams, a good 124-cent quality, removal sale price......5c Solid Colored Seersucker Ginghams in light clue, pink, brown and gray mixtures, 12%c quality, for..7%c

Finest quality American zephyr Ginghams, in all the leading dress styles, inclding neat small effects for children's wear. This quality of Ginghams has retailed all over

26-inch Percales in a large as-

Our entire stock of finest quality imported Scotch zephyrs, embrac-ing all the novel effects of this season's make; removal sale

# Ladies' and Misses' Shirt Waists.

Ladies' Shirt Walsts of fine Percale, with high collar and Bishop sleeves, in dots and stripes.....40c

Ladies' Shirt Waists of Zephyr

Ladies' Shirt Waists in a variety of designs, of extra fine quality Percale, in handsome stripes and dainty effects of novel lawn pat-

Ladies' Shirt Waists in fine Dimity, broad black stripe on yellow, pink, green and tan shades, a swell weist, at......\$1.25

Misses' Percale Waists, Bishop

terns, very best cut and make

Misses' Shirt Waists in Linen colored Grass Cloth, collar, cuffs and yoke piped with white, a very styllsh walst for a young miss.

Ladies' Plain Chemise, good quality muslin ...... Ladies' good quality muslin drawers, with hem and cluster tucks, 84 ......250

## DRESS GOODS.

Tremendous reductions now, such as are usually noised about with a great flourish later in the season. Lot No. 1-Double fold fancy Dress Goods, removal sale price, per

Lot No. 3—All Wool fancy Dress Goods, worth 35c, for......20c 

Very Nobby Silk and Wool Mohair Plaids, in spiendid light mixtures, suitable for summer dress that will shed the dust; imported to sell at 75c; removal sale price...40c

### CORSETS.

Kid-fitting Corset, medium long waist, two side steels and front

steel protection, trimmed with embroidery, in gray and black,

LINENS and WHITE GOODS Last week's Linen Sale has left s

with a large lot of short ends of Table Linens and Towelings, embracing every quality from the cheapest to the best THE WHOLE LOT MUST GO AND THEY WILL SELL, IF BELOW COST

PRICES WILL DO IT. % half bleached German Linen Napkins, removal sale price...\$1.14 Bleached Damask Linen Dinner Napkins, size 26x36, a \$2 quality, for .....\$1.25

White India Linens, a splendid 25c quality, for ......12460 30c quality for ......15c White Dotted Swisses for ...... 10c

# IN CLOAK ROOM.

A genuine clear-out here, the knife has gone in deep. Read this: 50 Ladies' Suits in Storm Serge and Covert Cloth, in navy, black, tan and gray, worth from \$6 to \$12, will be cleared our at. \$2.99 and \$4.98 Ladies' Serge Mackintoshes in navy blue and bluck, regular \$6.50 gar-ments, to be cleared out at...\$2.50 Misses' Cloth Mackintoshes, a reg-ular \$2.50 garment, to be cleared

out at 99c
Misses' Reefer Jackets, this season's
makes are offered at actual New York cost, from ......50c upwards A Great Glove Opportunity

4-button kid gloves in all sizes, in tans, browns and blacks, our reg-ular \$1 goods, removal sale bargains, at .....

Adler's celebrated Dog-skin gaunt-let Gloves, in English reds and tans, for street and bleyele wear, a regular \$1.50 glove, at.......\$1.00 Men's bicycle gloves, Lisle thread back with dogskin paims, the only thing suitable for a summer bloy

DRY GOODS Co., 116-118 Main